

FILED
7/31/23 4:19 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:) Case No. 23-20273-GLT
Danielle Rae Bower,) Chapter 13
Debtor,)
Danielle Rae Bower,) Related Document No. 41 and 49
Movant,) Hearing Date: 08/09/23 @ 10:30 a.m.
vs.) Response Due: 07/13/23
Kennedy Bower,)
Respondent.) Document No.

**MODIFIED
ORDER OF COURT**

AND NOW, this 31st day of July, 2023, upon consideration of the Motion to Approve a Settlement under Bankruptcy Rule 9019, and after notice to all parties and an opportunity to be heard, the Court hereby finds:

1. This settlement eliminates any uncertainty about the amounts owed to or by the Debtor, Danielle Rae Bower.
2. This settlement was entered into by the parties, and it will save the Debtor the significant cost of determining the value of the claims made, as well as avoid the cost of litigation and risks of collection.
3. The settlement provides the following terms and conditions:
 - A. Kennedy Bower would pay the Debtor, c/o the Chapter 13 Trustee, the sum of \$20,000.00 in settlement of all claims against Kennedy Bower relating to 4101 Pokolodi Circle, Addison, TX 75001.
 - B. The \$20,000.00 will be paid by bank cashier's check, which shall be made payable to Ronda J. Winnecour, Trustee," and shall be mailed to "Ronda J. Winnecour, Chapter 13 Trustee WDPA, P.O. Box 84051, Chicago IL 60689-4002" with a copy of the Court's Order.
 - C. The \$20,000.00, after deduction of Trustee fees, shall be used to first pay \$4,000.00 to Debtor Counsel, with the balance earmarked for distribution to general unsecured creditors. The distribution of the proceeds is authorized whether there has been a final confirmation order, and shall, in accordance with §349, be distributed (including the distribution to unsecured creditors)

notwithstanding a subsequent dismissal of this case. Notwithstanding the foregoing authority to distribute, Trustee is authorized to delay actual distribution(s) to the general unsecured creditors until the completion of her ordinary distribution process with respect to such claims including the completion and service of a notice of intention to pay claims.

D. The following payment records/claims will not be paid, and the Trustee is to close off the payment records on her system: Dallas County Tax Office (CID 5), Kennedy Bower (CID 17, POC 15), and Addison Timbers Homeowners Association (CID 26, POC 16). For the avoidance of doubt, Kennedy Bower shall not be responsible for payment to Quantum 3 Group, LLC (CID 18, POC 7).

E. The Debtor would execute a deed, in the presence of a notary public, transferring any and all interest she has in 4101 Pokolodi Circle, Addison, TX 75001 to Kennedy Bower.

F. Kennedy Bower would waive any claim against Danielle Bower relating to 4101 Pokolodi Circle, Addison, TX 75001, and release her from any claim relating to 4101 Pokolodi Circle, Addison, TX 75001.

G. Starting upon the date the Debtor transfers her interest in 4101 Pokolodi Circle, Addison, TX 75001 to Kennedy Bower by deed, Kennedy Bower would pay all taxes and insurance in connection with 4101 Pokolodi Circle, Addison, TX 75001 and hold the Debtor harmless from any claim for taxes in relation to 4101 Pokolodi Circle, Addison, TX 75001.

H. The Debtor would return a family cookbook of understood sentimental value.

I. The Debtor and Kennedy Bower would agree to a future no-contact agreement, other than for the purposes of effectuating the settlement.

J. The settlement is subject to approval by the Bankruptcy Court in accordance with Bankruptcy Rule 9019 and the Bankruptcy Code.

4. The Debtor's attorney fees in the amount of \$4,000.00 are to be paid from the \$20,000.00 received from Kennedy Bower.

5. The Chapter 13 Trustee's fee will be paid from the distribution to unsecured creditors.

It is **ORDERED** and **DECREED** that the Settlement Agreement, attached to the
Motion as **Exhibit "A"**, is approved.

By the Court,

Dated: 7/31/23



Chief Judge Gregory L. Taddonio
United States Bankruptcy Judge

In re:
Danielle Rae Bower
Debtor

Case No. 23-20273-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Jul 31, 2023

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 02, 2023:

Recip ID	Recipient Name and Address
db	+ Danielle Rae Bower, 2731 Selma Lane, Farmers Branch, TX 75234-6342

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 02, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 31, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Rocket Mortgage LLC f/k/a Quicken Loans, LLC f/k/a Quicken Loans Inc. bnicholas@kmlawgroup.com
Donald R. Calaiaro	on behalf of Debtor Danielle Rae Bower dcalaiaro@c-vlaw.com kmosur@c-vlaw.com;ssimmons@c-vlaw.com;jadam@c-vlaw.com;apratt@c-vlaw.com;mpeduto@c-vlaw.com;mlocke@c-vlaw.com;eballa@c-vlaw.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com;kebeck@ecf.courtdrive.com
Office of the United States Trustee	ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

District/off: 0315-2

User: auto

Page 2 of 2

Date Rcvd: Jul 31, 2023

Form ID: pdf900

Total Noticed: 1

Ryan J Cooney

on behalf of Interested Party Kennedy Bower rcooney@cooneylawyers.com

TOTAL: 6